



YOLO COUNTY FSA NEWS



Volume 3

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Yolo County FSA

221 W. Court, Suite 3B
Woodland, CA 95695
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Hours:

Monday – Friday
8:00 AM – 4:30 PM

County Committee:

Bob Paschoal, Chair
Tom Slater, Vice Chair
Randy Timothy, Member
Rudy Lucero Jr., Advisor
Marlene Schuler, Advisor

County Executive

Director:

Marianne A. Morton

County Office Staff:

Janet Aguilar
Nathan Bohl
Dee DeLuca
Belinda Escamilla
Caroline Walgenbach



This office will be closed
on September 3rd in
observance of Labor Day

2006 FINAL CC RATES FOR WHEAT, BARLEY AND OATS

The Farm Security and Rural Investment Act of 2002 provides for counter-cyclical (CC) payments for covered commodities and oilseeds for crop years 2002 – 2007.

Final 2006 CC payment rates for wheat, barley and oats are zero because the effective price (which equals the direct payment rate plus the higher of the national average loan rate or the national average farm price) equaled or exceeded the respective target price.

2007 COMPLIANCE AND SPOT CHECK REVIEW

FSA is committed to delivering accurate program payments to America's agricultural producers. The accuracy of payments not only benefits farmers and ranchers, but also maximizes taxpayer dollars and government efficiency.

As part of the 2007 National Compliance Review, FSA's national office is requiring FSA county offices to conduct

compliance reviews and spot checks of certain producers, FSA employees and County and State Committee members selected through a statistical sampling method.

FSA may review a producer's operations in multiple states and counties, depending on the scope of the producer's operations. FSA will review both representations of accuracy in connection with FSA program participation as well as compliance with applicable program requirements. Depending on the FSA programs in which the producer is participating, these reviews may need to be conducted at various times during the year. FSA appreciates its customers' cooperation as the Agency continues to enhance its operations.

FSA's goal is to ensure that program dollars are effectively and efficiently delivered so America's farmers and ranchers can continue to provide safe and abundant food, fiber and fuel to domestic and global consumers.



PAYMENT LIMITATION/ELIGIBILITY

USDA payments and benefits are subject to producer eligibility and limitation provisions. Documents and forms to determine eligibility are reviewed on an annual basis. It is your responsibility to report changes in your farming operation that may affect payment eligibility and payment limitation. Entities such as corporations, limited partnerships, trusts and estates are required to provide names, addresses, and ID numbers of their members. You must provide the office with documentation of who can sign on behalf of the entity. Other payment limitation (PL) requirements to consider are:

- No program benefits subject to limitation may be provided until all required forms for the specific situation are provided and the necessary PL and payment eligibility determinations are made.
- The producer or the County Committee (COC) may initiate PL and eligibility determinations.
- All producers are subject to year-end reviews to ensure operations are farmed according to the way their CCC-502's are filed.
- Spouses may be considered separate "persons" for PL if this determination is requested and the applicable requirements are met.
- A determination of "not actively engaged in farming" results in program ineligibility.
- Noncompliance with the adjusted gross income (AGI) provisions, either by exceeding the \$2.5 million limitation or by failure to submit the applicable certification statement, will result in the determination of ineligibility for all program benefits subject to the AGI provisions; program benefits shall be reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible individual or entity in any entity, general partnership or joint operation that receives benefits subject to the AGI limitation.
- There are statutory provisions that require entities earning program benefits that are subject to PL to provide the names, addresses and ID numbers of the entities' members to the COC and to inform the entities' members of the requirements for designating "permitted entities."

The following is a list of programs requiring PL determinations and the maximum payment limit:

<i>Payment Type</i>	<i>Limitation (In Dollars)</i>					
	2002	2003	2004	2005	2006	2007
Direct payments on covered commodities except peanuts	40,000					
Counter-cyclical payments on covered commodities except peanuts	65,000					
Total of the following for all loan commodities except wool, peanuts, mohair and honey: gains from marketing loans; and LDP'S	75,000					
Total of wool, peanuts, mohair and honey	75,000					
Conservation Reserve Program	50,000					
Non-insured Crop Disaster Assistance Program	100,000					
Trade Adjustment Assistance Program	10,000					
Tree Assistance Program	75,000					
Emergency Conservation Program	200,00					

HIGHLY ERODIBLE LAND AND WETLAND COMPLIANCE

Operators are reminded that in order to receive payments, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL soils need to be aware of tillage, crop residue and rotation requirements as specified in their conservation plans. It is very important that you contact our office before modifying (e.g., tiling, draining, dredging, filling or leveling) any wetland or drainage ditch. Failure to obtain advance approval for any of these situations can result in

loss of all Federal payments and eligibility.

SPOUSAL SIGNATURE AUTHORITY

A husband and wife can sign documents on behalf of each other for FSA and CCC programs in which either has an interest unless a written request for exclusion is made to the County Office from either spouse. A husband and wife cannot sign FSA-211 or FSA-211-1 (Power of Attorney) on behalf of the other.



CONTROLLED SUBSTANCE

Any person convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting or growing a prohibited plant (e.g., marijuana, opium poppies and other drug producing plants).

FOREIGN LANDOWNER NOTIFICATION

The Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the

Secretary of Agriculture. FSA administers this program for USDA. Foreign persons who have acquired agricultural land, leased land for ten years or more, converted agricultural land to a nonagricultural use or all or part of the agricultural land is sold or title is transferred to another person must file an FSA-153 within 90 calendar days in the FSA county office where the land is located. Failure to submit the AFIDA form could result in a civil penalty of up to 25 per cent of the fair market value of the interest held in the agricultural land on the date of the civil penalty. County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements. It is the foreign person's responsibility to report the land transactions.

DIRECT DEPOSIT

Payments from FSA are required by law to be directly deposited into a producer's savings or checking account. Our office will send you a transaction statement indicating the payment type and amount. All producers were required to have initiated Electronic Funds Transfer (EFT) by January 1, 1999. Any person may request a waiver of EFT if it poses a financial or personal hardship. It is important that any changes to your account be provided to the county office promptly to avoid possible payment delay.

RECORD CHANGES

Participation in FSA farm programs requires all records to be accurate and up to date. ***It is the producer's responsibility*** to inform FSA of changes to his/her farming operation including, but not limited to land ownership changes, adding or dropping a tract of land (leases), entity type or ID number changes, marriage, divorce, deaths or changes in your financial institution for direct deposit. A copy of the deed

must be submitted for ownership changes; copies of written lease agreements must be submitted for all cash leases.



DEBT COLLECTION IMPROVEMENT ACT OF 1996

The DCIA provides, among other things, that a person owing a delinquent nontax debt to the Federal Government is ineligible for Federal financial assistance, including direct loans (other than disaster loans) or loan insurance or guarantee. The Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2001 amended DCIA to exclude marketing assistance loans or loan LDP's from the restrictions on barring delinquent Federal debtors from obtaining Federal loans or loan guarantees. Proceeds received from MAL's and LDP's will be offset against any delinquent debt owed by the producer to FSA. Proceeds from MAL's and LDP's to producers who are members of corporations, partnerships or other entities will be offset against the producer's pro rata share of entity payments after notification of the intent to offset has been provided to the nonborrower entities.

DESIGNATION BY LANDOWNER

When land with contract acres is sold, those contract acres

normally transfer with the land to the new owner based on a cropland ratio. However, the landowner and purchaser can agree to divide the contract acres in any manner that is mutually agreeable. To use this designation by landowner method, the land sold must have been owned for at least three years and the owner and purchaser must sign a memorandum of understanding designating contract acres before completing the sale. If you have questions, please contact our office for details before selling your land.

CIVIL RIGHTS/ DISCRIMINATION PROCESS

As a participant in or applicant for programs or activities operated or sponsored by USDA, you have the right to be treated fairly. If you believe you have been discriminated against because of your race, national origin, gender, age, religion, disability or marital or familial status, you may file a discrimination complaint. The complaint should be filed with the USDA Office of Civil Rights within 180 days of the date you became aware of the alleged discrimination. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Room 326-S.W., Whitten Building, Stop 9410 Washington DC 20250-9410 or call (202) 720-5964 (voice or TDD).

FRAUD MAY LEAD TO DISQUALIFICATION

Producers found to have committed crop insurance fraud are ineligible for a number of programs administered by FSA and CCC. Any person found to have committed fraud will receive a notice and will have an opportunity for a hearing on the record. The person may be disqualified from receiving any benefits under a number of programs for a period of up to 5 years. Other sanctions may also apply.

UNITED STATES DEPARTMENT OF AGRICULTURE

Yolo County Farm Service Agency
221 West Court Street, 3B
Woodland, CA 95695



IMPORTANT DATES

8/01/2007	Final date to request a 2007 farm reconstitution NAP ACD – 2008 fall-planted seed and multi-planting crops Final date to submit LAA-1 nomination forms
8/03/2007	2007 DCP sign-up deadline (without \$100 per farm late-file fee) ALL SIGNATURES MUST BE RETURNED BY THIS DATE OR A LATE-FILE FEE WILL BE ASSESSED!
9/01/2007	NAP ACD – 2008 forage and fall-planted garbanzo beans
9/03/2007	Labor Day – office closed
9/30/2007	2007 DCP sign-up deadline (postmarked by 9/29 or date-stamped by 9/28) 2002 Farm Bill expires
September 2007	2006 DCP final CC GS, cotton and peanuts rates announced
10/01/2007	Beginning of first 60-day managed grazing period on CRP
10/08/2007	Columbus Day – office closed
October 2007	2006 final CC corn and soybean rates announced
11/11/2007	Veterans Day – office closed
11/22/2007	Thanksgiving Day – office closed
11/29/2007	End of first 60-day managed grazing period on CRP
12/01/2007	Beginning of 120-day managed grazing period on CRP
12/03/2007	Final date to submit LAA-1 election ballots
12/25/2007	Christmas Day – office closed
December 2007	2007 DCP advance CC wheat, oats and barley rates announced
TBA	2005 – 2007 Crop Disaster, Livestock Indemnity, Livestock Assistance and Livestock Compensation Programs

The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disabilities, political beliefs and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio type, etc.) should contact the USDA's TARGET Center at (202) 702-2661 (voice and TDD). To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250 or call (800) 245-6340 (voice) or (202) 720-1127 (TDD). USDA is an Equal Opportunity Employer.